

Appl. No. : 10/727,434
Filed : December 3, 2003

REMARKS

This is in response to the Office Action mailed May 31, 2005.

By that Action, the Examiner first rejected Claims 6 and 7 under 35 U.S.C. § 112(2) due to Claim 6 missing language which defines the claimed movable element. Applicants thank the Examiner for the careful review of the claims and have amended Claim 6 to address this issue. Applicants have also carefully re-reviewed the application and correct a number of other minor errors in the specification.

The Examiner rejected Claim 1-8 under 35 U.S.C. § 102 as being anticipated by, or in the alternative, under 35 U.S.C. § 103, as obvious over U.S. Patent No. 5,235,769 to Stead. Applicants respectfully traverse this rejection.

Stead does disclose many of the individual components of the launcher claimed in the claims. This is to be expected in the sense that many components are common to projectile launchers (such as barrels, pistol grips, triggers and the like). Importantly, however, the claims define a launcher having a unique configuration, which configuration is substantially different than that disclosed by Stead.

Claim 1

Claim 1 recites a launcher having a body which defining a chamber. A breechblock is movably positioned in the chamber.

Stead discloses a pump action firearm. Relative to the embodiment illustrated in Figures 9-12 of Stead, Stead discloses the firearm to include a breech face (134). As disclosed, the breech face

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(134) is simply a stationary member connected to a butt (90) portion of the firearm. Applicants note that Stead discloses a substantially different firearm configuration where the barrel (12) moves relative to the remainder of the firearm (including a chassis (14)) (see description of barrel movement at Stead col. 3, lines 34-36 and col. 6, lines 30-35). This configuration is completely different than the launcher configuration claimed in Claim 1 where a breechblock moves relative to a body which is stationary and defines a tubular launch passage.

Claim 1 also recites a trigger mechanism connected to the breechblock. In Stead, the trigger mechanism (66) is not connected to the breech face (134) in any fashion. As disclosed, the trigger mechanism (66) of Stead is associated with a pistol grip (70) which is molded integrally with the butt (90) (see Stead col. 5, lines 13-17). The trigger mechanism (66) acts upon a sear (170), which pivots relative to a firing rod (98) (see Stead Figure 12 and col. 7, lines 34-38). In this configuration, no part of Stead's trigger mechanism is associated with the breech face (134), let alone connected thereto.

Claim 1 further recites an ejector coupled to the breechblock. In Stead, ejection of a cartridge is effected by a pair of resilient ejector fingers (128) (see Stead Figure 12 and col. 6, lines 17-20). In Stead, these ejector fingers (128) are connected to carriers (108) which are actuated by actuator members (106) associated with the movable barrel (12) (see Stead col. 5, lines 30-38). As such, in Stead the ejector fingers (128) are not in any way associated with the breechblock.

Applicants note that Stead generally discloses a firearm which is configured to load and eject cartridges in a significantly different fashion than Applicants' launcher. Stead discloses a firearm where a barrel is moved relative to a chassis, and movement of the barrel effects various functions

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of the firearm. On the other hand, Applicants' launcher has a stationary body defining a passage (barrel) and a moveable breechblock. Various elements of the launcher are associated with this breechblock, the movement of which effects various functions of the launcher. Thus, not only does Stead not disclose each and every element of the invention as claimed, but Applicants assert that Stead does not obviate the claimed launcher. To the contrary, Stead teaches away from the claimed design and to a particular, very unique configuration with a moveable barrel.

Claims 2-8

Applicants assert that Claims 2-8 are allowable for at least the reason they depend from allowable independent Claim 1. Applicants also assert, however, that these claims also define independently allowable subject-matter. For example, Claims 2-3 recite a launcher having a track located in a breechblock, which track is engaged by a pin of an ejector. As noted above, Stead does not disclose an ejector connected to a breechblock, let alone a breechblock defining a track. Claim 4 recites an ejector coupled to the breechblock (Stead's ejector fingers are not connected to the breech face); Claims 6-7 recite means of moving the breechblock of the launcher (Stead's breech face is stationary); and Claim 8 recites a grip connected to the breechblock (Stead's grip is connected to the butt/chassis of the firearm, not the breech face).

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Summary

Applicants assert that Claims 1-8 are allowable over the prior art, including Stead, and respectfully request a Notice of Allowance as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Dated: _____

July 15, 2005

By: _____

Respectfully submitted,

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